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EXPERTS SAY PRESIDENT OBAMA'S REMARKS ON GAY BAN FALL SHORT OF 2010 CHALLENGES

President Has Authority to Halt Gay Discharges

SANTA BARBARA, CA, January 27, 2010 - Experts said tonight that President Obama's endorsement of congressional repeal of "don't ask, don't tell" during his State of the Union address falls short of the challenges ahead for repeal in 2010. "Including repeal in the State of the Union Address makes clear that the President considers this issue important," said Christopher Neff, Deputy Executive Director of the Palm Center and previously the first federal lobbyist for "don't ask, don't tell" repeal. "Yet the path to repeal will require both a command decision by the President and a clear timeline which follows. Leadership from the Pentagon will likely be mixed during upcoming hearings, and votes will be close in the House and Senate. It's the President who is the game-changer on 'don't ask, don't tell' in 2010."

As explained in a Palm Center report that will soon be released in published form, current law gives certain discretionary authorities to the President and the Defense Secretary regarding how they implement the policy, which is similar, but not identical to, the law. Nathaniel Frank, Senior Research Fellow at Palm and author of "Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America," explained that, "President Obama has the opportunity to modify the gay ban's application through executive action. Many experts have suggested the President can direct the Secretary of Defense to adjust the investigative standards for 'don't ask, don't tell' that require credible information from a reliable source." In its report, the Palm Center outlines an analysis suggesting that a zone of privacy is appropriate for off-base, off-post, off-duty conduct. "Such a zone could be created by President Obama if he were willing to do so."

Adding to support for the President were recent remarks in favor of repeal from former Joint Chiefs Chairman General John Shalikashvili, and New York Senator Kirsten Gillibrand. In a statement released today in conjunction with Sen. Gillibrand's office, the General stated that now is an appropriate time to allow for open service: "As a nation built on the principle of equality, we should recognize and welcome change that will build a stronger, more cohesive military. It is time to repeal 'don't ask, don't tell' and allow our military leaders to create policy that holds our service members to a single standard of conduct and discipline."



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The Palm Center is a think tank at the University of California, Santa Barbara. Since 1998, the Center has been a leader in commissioning and disseminating research in the areas of gender, sexuality, and the military. For more information visit www.palmcenter.ucsb.edu.